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Applicant: Firmin Garcia et al.) VAL1599P0230US
Serial No.: 09/775,868)
Filed: February 2, 2001) Group Art Unit: 3754
For: FIXING DEVICE AND A) Confirmation No. 3944
DISPENSER USING SUCH A)
FIXING DEVICE)
Examiner: Not Yet Designated)

INFORMATION DISCLOSURE STATEMENT

Box DDS
Commissioner For Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §1.97, the art identified on the attached form PTO/SB/08A and other matters discussed below may be helpful to the Patent Office in its examination of the application identified above.

A copy of each of the documents is enclosed herewith for the Examiner's consideration.

The enclosed copy of the "Rapport De Recherche Prélimaire" is the Search Report that has issued in respect of the French application FR 00.13567 which is the French application filed on October 23, 2000 for which priority is claimed in the above-captioned instant U.S. patent application serial No. 09/775,868. Five documents are cited in that Search Report, and copies of those documents are enclosed. The documents are separately cited in the accompanying form PTO/SB/08A.

The cited French application No. 81 12102 (publication document No. 2 508 136) is in the French language. No English language translation is provided. FIGS. 9 and 10 appear to illustrate a fixing ring 66 having a skirt for surrounding the rim or lip 68 on the upper end of a container, and the fixing ring skirt 67 also includes a plurality of tabs 70. Each tab 70 is connected to the bottom of the skirt 67 at a reduced cross section thickness region. Each tab 70 is deformed inwardly and under the container rim or lip when an upper cover ring 73 is pushed downwardly to force the tabs 70 to pivot inwardly at the bottom of the fixing ring skirt 67. However, the tabs 70 of the skirt do not appear to be deformed in response to any axial thrust on the bottoms of the free ends of the tabs 70.

The order of listing of the art on the attached Form PTO/SB/08A should not be construed as an indication of the importance of the listed art.

The Patent and Trademark Office Examiner is requested to review the art and determine the extent of the materiality of the disclosures thereof with respect to the patentability of the subject invention. It is expected that the Patent and Trademark Office Examiner will independently conduct a complete search for relevant prior art.

No inference should be drawn and no representation is made or intended: (a) that a search has been made, or if made, was complete; (b) that the art on the attached list presents a comprehensive investigation of the prior art; or (c) that no more pertinent art than that listed is in existence. [See 37 C.F.R. §1.97(g)]

Citation of any art herein is not to be construed as an admission: (a) that the art disclosure is, or is considered to be, necessarily within the invention field of endeavor,

Serial No. 09/775,868 - - - 3

pertinent to the instant invention, or equivalent to the instant invention; (b) that the art disclosure is, or is considered to be, necessarily prior in time to a particular date which may be relevant in the instant patent application; (c) that the art disclosure is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and/or (d) that the art disclosure is otherwise necessarily prior art with respect to the instant invention and application. [See 37 C.F.R. §1.97(g).]

No inference should be drawn that the discussion of any art herein is a discussion of each and every feature disclosed therein.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosures of any document or other art, including the disclosures of the art cited herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

Respectfully submitted,

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By


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231, on October 31, 2001.


Paul M. Odell